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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 CALIFORNIA STATE AUTOMOBILE
ASSOCIATION, INTER-INSURANCE
BUREAU,

16 Plaintiff,

17 vs.

18 WHIRLPOOL CORPORATION, DBA
19 MAYTAG, AND DOES 1 THROUGH 50,
INCLUSIVE,
20

21 Defendants.

No. C 08-01633 WDB

**JOINT APPLICATION FOR
CONTINUANCE OF FURTHER CASE
MANAGEMENT CONFERENCE**

Currently Scheduled Date: 11/12/08
Currently Scheduled Time: 1:30 p.m.

22 To the Honorable Wayne D. Brazil, United States Magistrate Judge:

23 The parties hereby jointly apply for an order of this court continuing the presently scheduled
24 Further Case Management Conference from November 12, 2008, to a date convenient for the Court on
25 or after January 14, 2009. The reasons for this application appear below:
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1 1. On August 7, 2008, when the parties appeared before this Court in this insurance
2 subrogation matter, they had already scheduled mediation for September 30, 2008, before Charles F.
3 Hawkins of Mediation Masters in San Jose. At that time, plaintiff California State Automobile
4 Insurance Association had not yet completed adjusting the loss underlying its claim, but anticipated
5 that it would complete the adjustment, well in advance of the September 30 mediation date so that the
6 total dollar amount of the claim would be known and the matter could be resolved at the mediation.
7

8 2. For two reasons, the September 30 mediation date has become untenable. First,
9 Plaintiff has not yet completed its adjustment of the loss, so the total amounts involved are not yet
10 known. Second, Whirlpool Corporation's National Product Counsel for dishwashers, whose
11 participation in the mediation is essential, has become unavailable on that date. Accordingly, the
12 parties have rescheduled the mediation to Mr. Hawkins's next available date, January 8, 2009.

13 3. The parties have completed their essential liability investigation and discovery.
14 Plaintiff believes there should be no difficulty in completing adjustment of this loss well in advance of
15 the January 8 date, and the parties intend to begin settlement discussions as soon as Plaintiff has
16 provided Whirlpool with the complete adjustment information, in the hope that this matter can be
17 resolved without the need for mediation.
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1 4. For the reasons set forth above, the parties jointly request that this Court continue the
2 Further Case Management Conference to the first convenient date on or after January 14, 2009.

3 DATED: September ___, 2008

4 GRUNSKY, EBEY, FARRAR & HOWELL

5 By: _____
6

7 Laura Uddenberg
8 Attorneys for Plaintiff
9 CALIFORNIA STATE AUTOMOBILE
ASSOCIATION INTER-INSURANCE
BUREAU

10 DATED: September 15, 2008

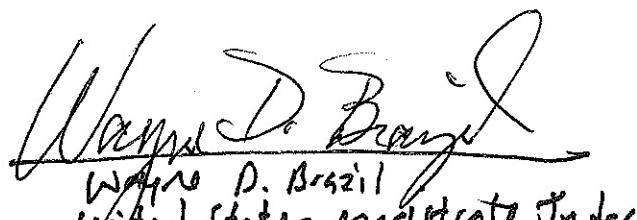
11 ADAMS | NYE | TRAPANI | BECHT LLP

12 By: _____
13

14 Bruce Nye
15 Attorneys for Defendant
WHIRLPOOL CORPORATION, DBA
MAYTAG

16 The Case Management Conference set for November 12, 2008 is
17 continued to Thursday, January 15, 2008, at 4:00 p.m.
18 By no later than Tuesday, January 13, 2008, at noon, the
19 parties must file their further Joint Case Management Conference
20 Statement.

21 It is so Ordered.

22 
Wayne D. Brazil
United States Magistrate Judge